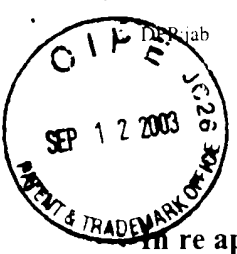


166! #



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PATENT
Attorney Reference Number 6582-59189

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Allan D. McLean

Application No. 10/081,731

Filed: February 21, 2002

Confirmation No. 9443

For: APPLE TREE NAMED 'MC38'

Examiner: Susan B. McCormick

Art Unit: 1661

Attorney Reference No. 6582-59189

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)

Date Mailed September 9, 2003

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

RECEIVED
SEP 16 2003
T-1661

TRANSMITTAL LETTER

Enclosed is an Amendment for the above application. The fee has been calculated as shown below.

CLAIMS AS AMENDED					
For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	1	- 1*	= 0	\$9.00	\$ 0.00
Indep. Claims	1	- 3**	= 0	\$42.00	\$ 0.00
Mult. Dep. Claims Fee (if not previously paid)				\$140.00	
One-month Extension of Time				\$55.00	
Two-month Extension of Time				\$205.00	
Three-month Extension of Time				\$465.00	\$465.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$465.00

* greater of twenty or number for which fee has been paid
** greater of three or number for which fee has been paid.

☒ Applicant petitions for an extension of time for the number of months indicated above. If an additional extension of time is required please consider this a petition therefor.

- ☐ A check in the amount of \$465.00 is attached.
- ☐ Small entity status is claimed for this application.
- ☐ Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☐ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



David P. Petersen

Registration No. 28,106

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

cc: Docketing

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RESPONSE

This responds to the Office action dated March 11, 2003.

Remarks begin on page 2.